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Immigrant Policy Project
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Report on 2014 State Immigration Laws

Enacted legislation dealing with immigration decreased by 7.5 percent in 2014, dropping to 171 laws from 185 in 2013. The number of resolutions returned to previous levels (117) after last year's spike in activity (253).

Trends:

- California was the most active state in 2014, enacting 26 laws and 28 resolutions on immigration. Examples include legislation allowing licensing bodies to accept an individual tax identification number instead of a social security number and prohibiting denial of licenses based on immigration status. California also requires classes related to elementary and secondary basic skills and classes for immigrants to distribute instruction on federal, state and local government and the importance of civic engagement. California also repealed the provisions of Proposition 187. Resolutions asked Congress for suspension of deportations, expedited processing for Iraq's minority groups, and expressed support for protection of human rights and repatriation assistance for child migrants.
- **Education.** California expanded in-state tuition to include three years attendance at elementary and secondary schools. Florida and Tennessee extended in-state tuition benefits to certain immigrant students and U.S. citizen children of unauthorized parents. Washington extended state financial assistance to students who received Deferred Action for Childhood Arrivals status. Missouri barred funds to higher education institutions if tuition to unlawfully present students is less than U.S. citizens that are not residents of Missouri.
- **Practicing law.** Florida enacted legislation permitting the Supreme Court to admit certain unauthorized immigrant students to practice law if they received employment authorization from the federal government, a social security number, and fulfilled all state requirements.
- **Task forces.** Delaware established a task force to study undocumented motorist safety and insurance. New Mexico created a task force to study the creation of community health specialist positions in the state, including those with credentials from foreign countries. Rhode Island created a task force to study the evaluation and certification of foreign-trained professionals.
- Of the 117 resolutions, 10 sought action from Congress or the administration. These include requesting support for EB-2 visas and centers (Michigan); visas for Korean skilled workers (Georgia) and Filipino veterans (Illinois); support for comprehensive immigration reform (Florida, Nebraska and New Jersey); and apology to Chinese Americans for enactment of Chinese exclusion laws (California).

- No state bills related to E-Verify, extending driver’s licenses to unauthorized immigrants, or omnibus legislation passed in 2014.

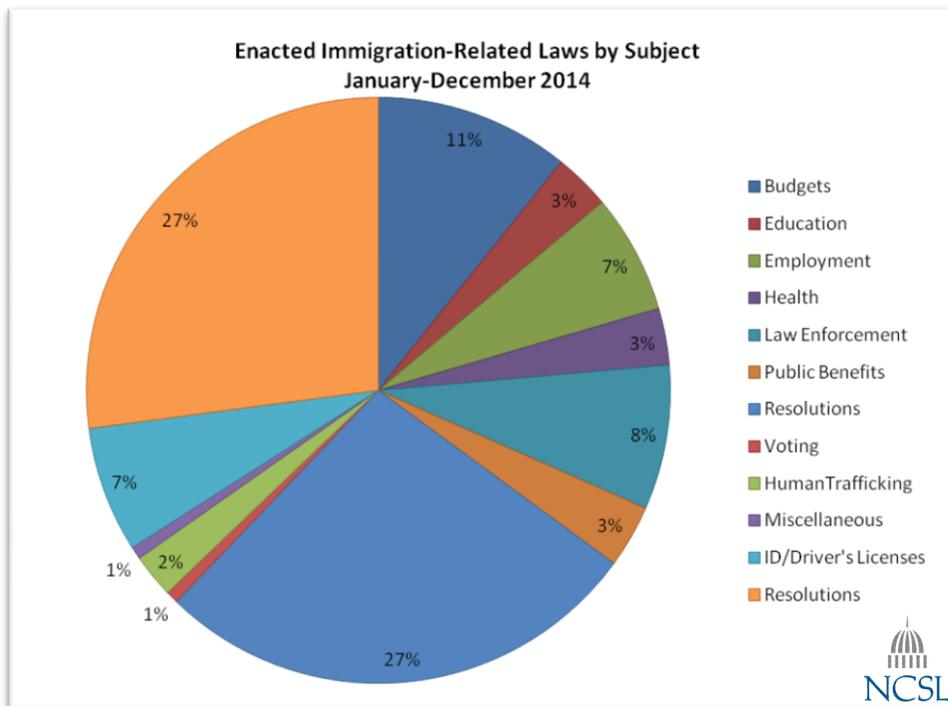
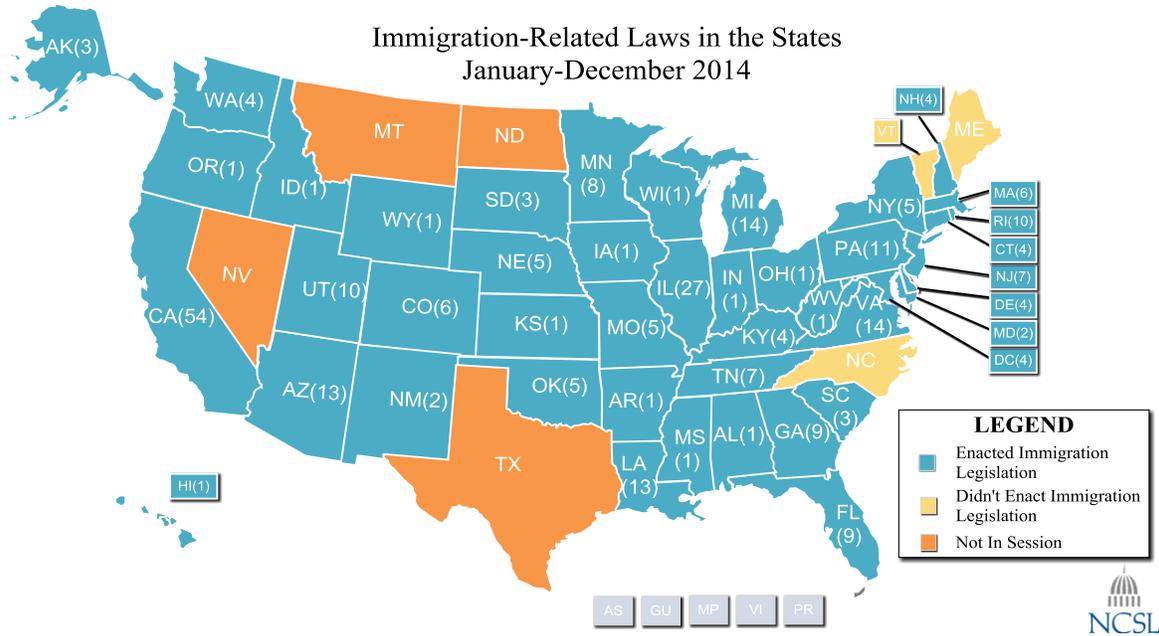
What are the numbers?

As of Nov. 30, 2014, **lawmakers in 43 states and the District of Columbia enacted 171 laws and 117 resolutions** related to immigration, for a total of 288. An additional six bills were vetoed by governors. Looking only at laws and not resolutions, enacted legislation decreased 7.5 percent in 2014 compared to the same timeframe in 2013, with 171 laws compared to 185.

The total of 288 laws and resolutions is a 34 percent decrease from the 438 laws and resolutions enacted in 2013. The decrease is partly explained by states not in legislative session in 2014, notably Texas, which enacted 101 laws and resolutions in 2013. Montana, North Dakota, Nevada and Texas did not have regular session in 2014 and three additional states did not enact immigration-related legislation in 2014: Maine, North Carolina and Vermont.

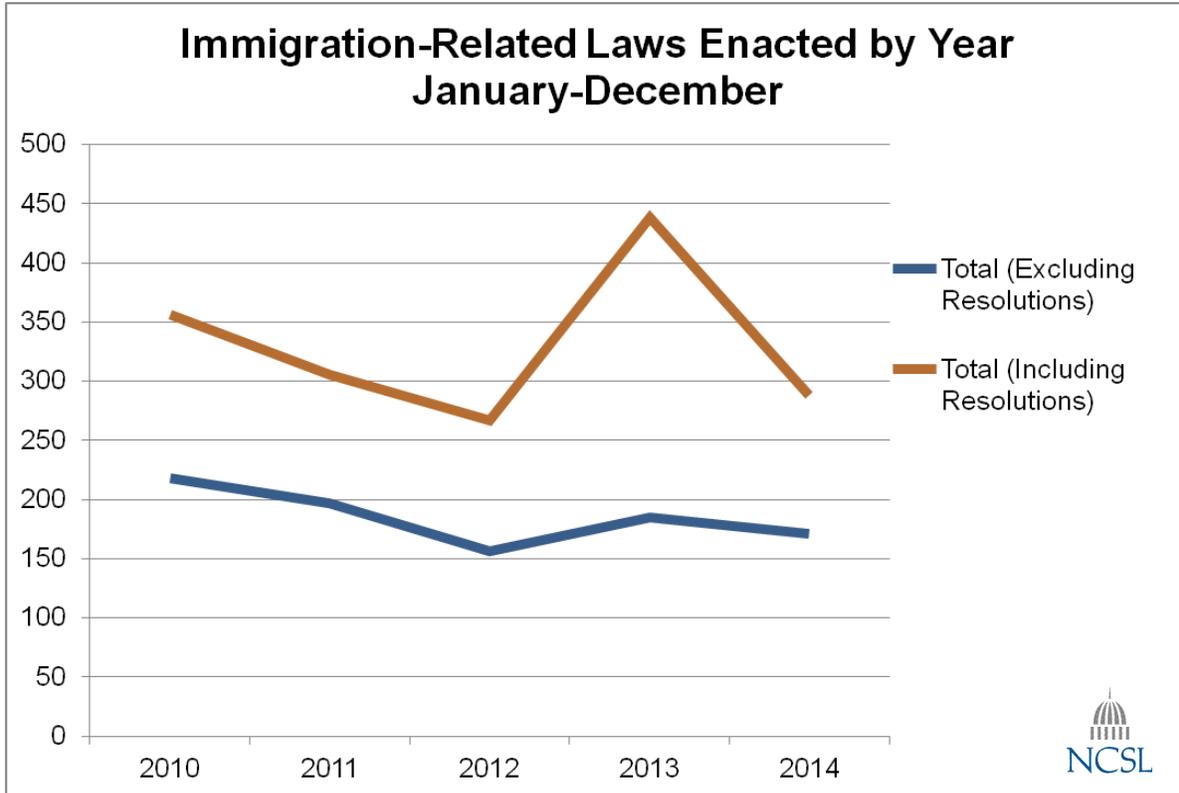
- The largest category, comprising 22 percent of all laws, are budget and appropriations laws, authorizing funds for such purposes as providing for immigration enforcement, English language and citizenship classes, and migrant and refugee programs.
- Legislation related to law enforcement accounted for 16 percent.
- Legislation related to driver’s licenses and IDs declined to 26 laws, down from 36 laws enacted in 2013, comprising 15 percent of all enacted laws on immigration.
- Thirteen percent of laws were focused on employment, limiting workers’ compensation or unemployment insurance, limiting certain jobs to US citizens or legal immigrants, or defining employment to exclude agricultural labor. No laws related to E-Verify were enacted in 2014.
- Eight percent of laws addressed public benefits such as case management, child welfare and adoption.
- Eight percent of laws related to health such as health equity, mental health, eligibility criteria for Medicaid or licensing relating to health professionals.
- Nine percent of laws dealt with education, addressing immigration and residency requirements for higher education.
- Six percent of laws addressed human trafficking, including penalties for withholding or destroying immigration documents, or to work with federal offices on special immigrant visas for victims.

Methodology: This report summarizes laws and resolutions enacted between January and November, 2014. Laws included in this overview address legal immigrants, migrant and seasonal workers, refugees or unauthorized immigrants. Terms used in this report by and large reflect those used in the state legislation. In some state legislative language, unauthorized immigrants are also described as “illegal immigrants,” “undocumented immigrants” or “aliens.”



Subjects of Immigration-Related Laws Enacted by Year January—December

Category	2010	2011	2012	2013	2014
Budgets	49	19	38	25	37
Education	17	20	13	21	15
Employment	27	27	14	21	22
Health	17	23	12	15	14
Human Trafficking	8	5	9	12	11
ID/Drivers Licensing	26	27	14	36	26
Law Enforcement	37	39	26	25	27
Miscellaneous	20	12	10	14	3
Omnibus	2	6	1	1	0
Public Benefits	9	15	16	12	13
Voting	6	4	3	3	3
Resolutions	138	109	111	253	117
Total (Excluding Resolutions)	218	197	156	185	171
Total (Including Resolutions)	356	306	267	438	288



BUDGET

Lawmakers in 23 states enacted 37 laws: *Arkansas, Arizona, California, Colorado, Georgia, Illinois, Iowa, Kansas, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, Ohio, Pennsylvania, South Carolina, Utah, Virginia and Washington.*

These laws typically appropriate funds for refugee services, migrant health, naturalization services, education and English as a Second Language programs, or law enforcement.

Example: AZ H 2708. This law states that loans, guarantees, investment management agreements and contracts that are entered into by the board of trustees must not involve investments in Sudan or Iran or otherwise provide support to terrorists or in any way facilitate illegal immigration into the United States.

Example: IA S 2347. This law appropriates \$210,000 to a pilot project to provide supplemental support services for international refugees to improve learning, literacy, cultural competencies, and assimilation.

Example: MA H 4001. This law appropriates \$341,096 to a "Citizenship for new Americans" program to assist legal permanent residents of the commonwealth (and persons who are within three years of eligibility to become citizens) in becoming citizens of the United States. The program is to include English-as-a-second language/civics classes, citizenship application assistance, interview preparation, and interpretation and referral services.

Example: MO H 2010. This appropriations law sets aside \$200,000 to provide naturalization assistance to refugees and/or legal immigrants who have resided in Missouri more than five years, are unable to benefit or attend classroom instruction, and who require special assistance to successfully attain the requirements to become a citizen. The department shall award a contract under this section to a qualified nonprofit which can demonstrate its ability to work with this population. A report shall be compiled for the General Assembly evaluating the program's effectiveness in helping senior refugees and immigrants in establishing citizenship and their ability to qualify individuals for Medicare.

Example: PA H 278. This law requires compliance with federal law related to immigrant eligibility and verification (8 U.S.C. Section 1611, 1612 and 1642). This law also allows for a restricted receipt account for emergency immigration education assistance.

EDUCATION

Lawmakers in nine states enacted 15 laws: *California, Colorado, Florida, Idaho, Kentucky, Minnesota, Missouri, Tennessee and Washington. One additional bill was vetoed.*

These laws usually pertain to immigration and residency requirements for access, in-state tuition or financial assistance at educational institutions. Some laws address enhanced learning for refugees or English learners.

Example: CA S 897. This education law requires that the classes and courses related to elementary and secondary basic skills, and the classes and courses for immigrants, to distribute basic information on American government and civics that includes, but is not limited to, instruction on (A) federal, state, and local government, (B) the three branches of government, (C) the importance of civic engagement, and (D) registering to vote.

Example: FL H 851. This postsecondary education law includes amendments relating to qualifications for resident (in-state) tuition. Out-of-state fees are waived for students, including but not limited to, unauthorized immigrants who have attended a secondary school for three years before graduating from a Florida high school, applied for higher education enrollment within two years of graduation, and submitted an official Florida high school transcript as evidence of attendance and graduation. A dependent child may not be denied classification as a resident for tuition purposes based solely upon the immigration status of his or her parent. The law prohibits denial of classification as a resident for tuition purposes based on immigration status and allows certain people to be classified as state residents based on marriage or military service.

Example: KY H 79. This law allows school districts to provide approved high school programs to students who are refugees or legal aliens, until the student graduates or until the end of the school year in which the student reaches the age of 21.

Example: MN H 2397. This law requires that early childhood literacy programs enable parents of English learners to track the progress of their children's English language development and, where practicable, their native language proficiency. Minnesota will commend bilingual and multilingual students with seals upon successful testing at level three of the Foreign Service Institute language proficiency tests and provide varying resources to encourage development of foreign-language skills. Finally, this law mandates that school-related documents and forms be translated into various languages in order to provide greater access and understanding for parents who do not speak English.

Example: MO H 2003. This law stipulates that no funds shall be expended at public institutions of higher education that offer a tuition rate to an unlawfully present covered student that is less than the tuition rate charged to citizens or nationals of the United States whose residence is not in Missouri.

Example: TN S 2115. This law states that a student will be classified as a state resident and charged in-state tuition if the student is a citizen of the United States, has resided in Tennessee for at least one year immediately prior to admission and has graduated from a Tennessee public secondary school, graduated from a private secondary school that is located in this state or earned a Tennessee high school equivalency diploma.

Twenty states currently have statutes that condition eligibility for in-state tuition on attendance and graduation from a state high school and acceptable college admission applications. For more information, please see NCSL's publication on [in-state tuition and unauthorized immigrant students](#).

EMPLOYMENT

Fourteen states enacted 22 laws: *Arizona, California, Georgia, Illinois, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, New Hampshire, Rhode Island, Utah, Virginia and Washington. One additional bill was vetoed.*

These laws address eligibility for unemployment insurance, workers compensation, work authorization and E-Verify, and employer retaliation.

Example: CA A 2751. This law amends provisions that prohibit an employer or person from engaging in unfair immigration-related practices against a person for the purpose of retaliation, including threatening to file or the filing of a false report or complaint with any state or federal agency. It requires a penalty to be awarded to an employee who engages in protected conduct and is retaliated against.

Example: CA S 477. This law changes the definition of a foreign labor contractor and on/after July 1, 2016, would require a foreign labor contractor to register with the Labor Commissioner.

Example: MA H 4377. This law provides \$3 million to the Massachusetts Technology Collaborative for a three-year pilot program to offer candidates on nonimmigrant visas the opportunity to remain in the commonwealth to pursue practical training in entrepreneurship. The program offers part-time employment for qualified resident entrepreneur following a period of study for a masters or doctorate degree in the sciences, technological fields, engineering, mathematics, accounting, finance, economics, business or business administration in order to obtain practical experience in the field of study. To allow a resident entrepreneur to remain in the commonwealth, the employer is required to apply to USCIS for an H-1B visa. The program is required to provide annual reports to the legislature.

Example: RI S 3125. This law creates a special Senate task force to study the evaluation and certification of foreign-trained professionals. The task force shall report its findings and recommendations to the Senate on or before March 4, 2015.

Example: UT S 203. This law extends the program start date to July 21, 2017 under the Utah Immigration Accountability and Enforcement Act, and dates for the Utah Pilot Sponsored Resident Immigrant Program Act under which a resident immigrant may reside, work, and study in Utah. The program may not permit a resident immigrant to travel outside of the state except under certain circumstances.

For additional information on E-Verify legislation, please see NCSL's [publication](#).

HEALTH

Eight states enacted 14 laws: *California, Connecticut, Illinois, Minnesota, New Hampshire, New York, Oregon and Wyoming. Two additional bills were vetoed.*

These laws typically pertain to eligibility requirements for Medicaid and State Children's Health Insurance Program, language access, and eligibility criteria for licenses within the health profession.

Example: CT H 5537. This law establishes an Office of Health Equity that works to eliminate disproportionately adverse health outcomes in population groups known to have adverse health status or outcomes. Such population groups may be based on race, ethnicity, age, gender, socioeconomic position, immigrant status, sexual minority status, language, disability, homelessness, mental illness or geographic area of residence.

Example: IL S 3440. This law establishes that J-1 Visa Waiver Program application fees may be collected from international medical students and deposited into the Illinois Rural/Downstate Health Access Fund to administer the J-1 program.

Example: NH S 270. This law establishes a commission to study mental health implementation in New Hampshire, and includes the director of the New Hampshire Office of Minority Health and Refugee Affairs as a member of the commission.

Example: NY S 6419. This law enables Modified Adjusted Gross Income-eligible aliens lawfully present in the United States with household incomes at or below 133 percent of the federal poverty line to receive coverage for basic health care services if such alien would be ineligible for medical assistance due to his or her immigration status.

Example: OR H 4109. This law appropriates \$60,000 to the Oregon Health Authority to commission an independent study of the feasibility of operating a basic health program in Oregon. The study will include estimates of individuals eligible to enroll in the basic health program, including legal resident aliens who are barred participation in the medical assistance program for five years.

HUMAN TRAFFICKING

Nine states enacted 11 laws: *Colorado, Delaware, Florida, Illinois, Michigan, Minnesota, Nebraska, Oklahoma and Pennsylvania.*

These laws provide benefits and protections to victims of human trafficking and address penalties for traffickers.

Example DE S 197. This law enables victims of human trafficking or minors engaged in commercial sexual activity to receive state services regardless of immigration status, requires police department or other appropriate agency to fill out and provide said individual with ICE Form I-914B or Form I-918B upon request, and defines identification documents to include immigration documents or documents issued by a foreign government.

Example: NE L 998. This law, relating to public health and safety and sexual exploitation, makes it illegal to abuse or threaten to abuse the legal process against another person by causing arrest or deportation for violation of federal immigration law, and knowingly destroying, concealing, removing, confiscating, or possessing any passport, immigration document or other government identification documents of the other person.

Example PA S 75. This law clarifies and reenacts provisions of human trafficking law, including providing resources about obtaining or maintaining legal immigration status, certifying cooperation and enabling victims to obtain a special immigrant visa and access federal benefits.

ID's/DRIVER's LICENCES and other LICENSES

Lawmakers in 12 states and the District of Columbia enacted 26 laws: *Alaska, Arizona, California, Colorado, Kentucky, Louisiana, Massachusetts, Michigan, Nebraska, South Dakota, Utah, West Virginia and the District of Columbia. One additional law was vetoed.*

In addition to providing for the eligibility of state-issued identification cards and driver's licenses, these laws address a range of topics including firearm permits, hunting and recreational permits, and documentation requirements for driver's license applications.

Example: AK H 1. This law changes the duration of an Alaska driver's license to match the expiration date of an authorized person's stay in the United States. The Department of Motor Vehicles may issue a driver's license with duration of less than five years if the person is authorized to stay in the United States for less than five years. If the period of authorized stay is indefinite, the department may issue a one year license that can be renewed for up to five years without charging renewal fees.

Example: AZ S 1397. This law eliminates border crossing identification cards and voter cards issued by the government of Mexico as acceptable forms of age verification when purchasing liquor.

Example: CA S 1159. This law allows licensing bodies to accept an applicant's individual tax identification number instead of a social security number. The bill would prohibit, except as specified, any entity within the department from denying licensure to an applicant based on his or her citizenship status or immigration status.

Example: KY H 128. This law requires applicants for gun permits to be citizens or lawfully admitted to the United States. Noncitizens must provide an affidavit concerning his or her immigration status and show US government-issued identification.

LAW ENFORCEMENT

Lawmakers in 17 states enacted 27 laws: *Alaska, Arizona, California, Connecticut, Florida, Illinois, Indiana, Louisiana, Missouri, New Jersey, New York, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Utah, and Virginia. One additional law was vetoed.*

These laws typically pertain to the enforcement of immigration laws, but also include regulations pertaining to those working as notary publics and immigration consultants.

Example: AZ H 2639. This law classifies knowingly accepting the identity of another person and using it to verify their work eligibility as aggravated taking identity of another person or entity, a class 3 felony.

Example: CA S 1310. This law requires that every offense punishable by imprisonment in a county jail up to or not exceeding one year be punishable by imprisonment not to exceed 364 days.

Example: FL H 755. This law states that upon certification by the Florida Board of Bar Examiners an applicant who is an unauthorized immigrant who was brought to the United States as a minor, has been present in the United States for more than 10 years, has received documented employment authorization from the United States Citizenship and Immigration Services (USCIS), has been issued a social security number, if a male, has registered with the Selective Service System if required to do so under the Military Selective Service Act, 50 U.S.C. App. 453, and has fulfilled all requirements for admission to practice law in this state, the Supreme Court of Florida may admit that applicant as an attorney authorized to practice law.

Example: IL H 4235. This law permits out-of-state attorneys who are licensed in another state or foreign country to appear before hearing officers, administrative law judges and other adjudicator bodies of departments, enables foreign attorneys to represent taxpayers in proceedings before a tax tribunal.

Example: IN S 343. This law requires the law enforcement training board to adopt rules for minimum standards for a course of study on cultural sensitivity training, including the U non-immigrant visa, and an understanding of cultural issues related to race, religion, gender, age, domestic violence, national origin, and physical and mental disabilities.

Example: NJ A 1423. This law amends the unauthorized practice of law to include prohibiting notaries public from falsely representing themselves as attorneys in advertisements and requiring an explicit disclosure that they are unable to give legal advice or accept fees for consultation regarding immigration matters.

Example: NY A 8974. This law amends provisions related to Immigrant Assistance Services in NY. This law increases fines imposed upon those who violate laws regarding immigrant assistance services such as misrepresentation as an attorney, requires certain immigrant assistance service providers to be registered with the department of state, provides definition and classification of immigrant assistance service fraud, provides for contract cancellation, requires informational statements that the U.S. government provides free online forms and information.

Example: SC S 356. This law establishes that in order to be commissioned as a notary, applicants must read and write English and be registered voters. Notaries are prohibited from giving advice on legal matters, including immigration counseling, and must display signs in English and any other languages they advertise in to inform clients they are unable to provide legal services.

MISCELLANEOUS

Three states enacted three laws: *California, Florida and Utah.*

This category typically includes immigration-related issues that do not fit in other categories and are addressed infrequently, memberships on task forces and commissions, abandoned property and studies.

Example: CA A 2747. This law includes a provision requiring utilities to notify single-family tenants 10 days prior to termination of service with notices written in English, Spanish, Chinese, Tagalog, Vietnamese and Korean.

Example: FL H 7095. This law prohibits the National League or the American League of Major League Baseball (MLB) or Minor League Baseball from being able to receive state funding until they certify to the attorney general that any Cuban refugee (aged 17 or older, present in the U.S. for less than one year, and not present before the most recent MLB Rule 4 Amateur Draft) may contract as a free agent, agree to report the identity and description of activity of anyone suspected of human trafficking, smuggling or movement for the purpose of evading MLB rules.

Example: UT S 95. This law repeals section 63G-13-203 of the Utah Code, collaboration on integration of immigrants. The collaboration urged the Utah Commission on Immigration and Migration to work with federal, state, and local governments to facilitate integration of immigrants in the state.

PUBLIC BENEFITS

Ten states enacted 13 laws: *California, Connecticut, Florida, Maryland, Massachusetts, Minnesota, Nebraska, New Jersey, Utah and Virginia.*

These laws address social service programs that affect all people covered by the programs—immigrants and non-immigrants alike—and laws that ensure benefits are granted only to eligible immigrants.

Example: CA S 396. This law repeals the provisions of Proposition 187, which made illegal aliens ineligible for specified public social services, public health care services and public school education at the elementary, secondary, and post-secondary levels.

Example: CT S 155. This law allows relevant parties to petition the probate court to release details to the USCIS for designation of the minor child as having special immigrant juvenile status under 8 USC 1101(a)(27)(J) if the court appoints a guardian, removes a parent, etc.

Example: NJ S 873. This law enables the state registrar to file a new birth certificate for those non-citizen-at-birth adopted persons possessing an IR-3 immigrant visa (or higher) For non-citizens without a visa, the registrar may file a certificate with the annotation "Certificate of Foreign Birth."

Example: UT H321. This law provides that the Department of Workforce Services may make rules to provide for the administration of refugee services beyond the time period funded by the federal government, including provisions for English language training, addressing emergency needs and services for victims of domestic violence.

RESOLUTIONS

Twenty one States adopted 117 resolutions: *Alabama, Arizona, California, Delaware, Florida, Georgia, Hawaii, Illinois, Kentucky, Louisiana, Michigan, Nebraska, New Jersey, New Mexico, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Virginia and Wisconsin.*

Resolutions typically commend citizens, immigrants, and immigrant-serving organizations for their contributions, recognize the cultural heritage of immigrants in a state, and urge Congress or the President of the United States to take certain actions.

Example: AL SJR 90. This resolution commends the Alabama Center for Foreign Investment for its focus on creating good jobs for Alabama workers. The center was initially created to participate in the EB-5 immigrant investor visa job-creation program, but discharged its duties and obligations in accordance with the EB-5 program and focuses on projects in growth industries and rural areas of Alabama to create jobs.

Example: CA HR 51. This resolution relating to child migrants declares that all Californians, as residents of the United States, have a civic responsibility to respect the human dignity of immigrants seeking refuge in the United States and to ensure that those immigrants are afforded due process and equal protection under the laws of the United States, including safe passage to medical care, as well as access to a mode of communication to facilitate their repatriation back to Central America when doing so is consistent with their rights and does not endanger their lives and safety.

Example: CA SJR 17. This resolution urges the administration to expedite visa processing for Iraq's minority groups and to lift the refugee quota cap for Iraqi Christians in order to streamline the process of accepting them into the United States as refugees. It also urges Congress to pass House Resolution 663, and urges the United States Department of State to work with, among others, the Kurdistan Regional Government, the Iraqi central government, and neighboring countries to help secure safe havens for those claiming amnesty from Iraq.

Example: CA SR 40. This resolution urges the President to take executive action to suspend deportations of unauthorized individuals with no serious criminal history.

Example: DE SCR 36. This resolution establishes the Undocumented Motorist Safety & Insurance Task Force and charges the Task Force with analyzing and making recommendations relating to the possibility of enhancing safety, economic dynamism, and wellness in Delaware via the issuance of Driving Privilege Cards to undocumented Delaware residents who complete a motorist safety course, and enables and encourages undocumented Delawareans to obtain automobile insurance coverage.

Example: FL S 816. This resolution encourages Congress to consider the five principles embraced by the Partnership for a New American Economy as it works to develop comprehensive immigration reforms.

Example: GA SR 941. This resolution urges Congress to grow the United States economy by increasing the number of visas designed to permit Korean citizens possessing skills in a specialty occupation to work in the United States.

Example: IL HR 843. This resolution encourages the Illinois congressional delegation, as well as all members of Congress, to support H.R.3207 and S.1559 to afford Filipino veterans equal treatment and full veterans' benefits in honor for their service and sacrifice.

Example: MI HR 316. This resolution urges the President and Congress to support Michigan's request for 50,000 EB-2 visas to assist in the economic recovery of the city of Detroit.

Example: NE LR 399. This resolution recommends the enactment of comprehensive immigration reform.

Example: NJ SR 61. This resolution commends the DREAM US scholarship fund and urges Congress to enact comprehensive immigration reform.

Example: NM HM 12. This resolution requests that the chancellor for health sciences at the University of New Mexico convene a task force made up of experts in health care professions to study the possibilities for creating community health specialist positions in the state. These positions may be filled by individuals residing in New Mexico who have professional health care credentials from another jurisdiction, such as a foreign country, but do not have licensure or other authorization to apply their health care skills in the state, also that the task force present its recommendations to the legislative health and human services committee by Nov. 1, 2014.

VOTING

Three states enacted three laws: *Illinois, New Hampshire and Virginia.*

These laws clarify voter registration requirements and valid documents to prove U.S. citizenship.

Example: IL HCA 52. This law states that no person shall be denied the right to register to vote or to cast a ballot in an election based on race, color, ethnicity, status as a member of a language minority, national origin, religion, sex, sexual orientation or income.

Example: NH H 466. This law requires voters to affirm their citizenship and provide their date and court of naturalization (if applicable) on a written affidavit if they cannot provide appropriate identification on Election Day.

Example: VA S 315. This law amends the Code of Virginia to require the State Board of Elections to delete from its record of registered voters the names of voters who are known not to be U.S. citizens by reason of reports from the Department of Motor Vehicles, or from information received from the Systematic Alien Verification for Entitlements Program (SAVE Program). The State Board shall apply to participate in the SAVE Program operated by the U.S. Citizenship and Immigration Services of the U.S. Department of Homeland Security for the purposes of verifying that voters in the voter registration system are U.S. citizens.



Prepared by:

Ann Morse, Program Director, Immigrant Policy Project, NCSL

Gilberto Soria Mendoza, Policy Specialist, Immigrant Policy Project, NCSL

Tadeo Melean, 2014 Bill Emerson National Hunger Fellow

Noor Shaikh, 2014 Spring Immigrant Policy Fellow

Matthieu Ostrander, 2014 Summer Immigrant Policy Fellow
Marion Githegi, 2014 Fall Immigrant Policy Fellow

Reviewers:

Molly Ramsdell, Director, Washington Office, NCSL
Neal Osten, Director, Washington Office, NCSL

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